

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Michael P. WHITMAN  
 Serial No. : 10/785,672  
 Filed : February 23, 2004  
 For : SURGICAL CUTTING AND STAPLING DEVICE  
 Examiner : Gloria R. Weeks  
 Art Unit : 3721  
 Confirmation No. : 2683

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on October 2, 2008.

Signature: /Clifford A. Ulrich/

**TRANSMITTAL**

S I R:

In response to the Office Action of April 2, 2008, transmitted herewith is a Response for filing in the above-identified application.

Applicant hereby requests a three-month extension of time for responding to the Office Action of April 2, 2008. The extended period for response expires on October 2, 2008. The Director is authorized to charge the **\$555.00** (small entity) extension of time fee to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. **11-0600**.

The Director is authorized to charge any additional fee that may be required or credit any overpayment to Kenyon & Kenyon LLP Deposit Account No. **11-0600**.

Respectfully submitted,

Dated: October 2, 2008

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